

ORDINANCE NO. 1136

AN ORDINANCE CONCERNING TAXICABS AND REPEALING ORDINANCE 427, ORDINANCE 919, AND ORDINANCE 972

The people of the City of Prineville do ordain as follows:

Section 1. Definitions.

- a. City Manager, Defined. When used in this ordinance the term “City Manager” shall mean the City Manager for the City of Prineville or the City Manager’s designee.
- b. Motor Vehicle, Defined. When used in this ordinance the term “motor vehicle” shall mean and include every self-propelled vehicle by or upon which any person or persons may be transported or carried upon any public highway, street, or alley, except vehicles used exclusively upon stationary rails or tracks.
- c. Person, Defined. The term “person” wherever used in this ordinance shall be held and construed to mean and include natural persons of either sex, firms, co-partnerships, associations, corporations, limited liability companies, or other legal entities, whether acting by themselves, by servant, agent, or employee. The singular number shall include the plural, and the masculine pronoun shall include the feminine and neuter.
- d. Taxicab, Defined. The term “taxicab” wherever used in this ordinance shall be held and construed to mean and include every motor vehicle except cars for rent without driver, used for the transportation of passengers for hire, and not operated exclusively over a fixed and defined route.

Section 2. Operators to Secure License. No person shall engage in the business of operating a taxicab without first securing a license thereof under the provisions of this ordinance. No license shall be issued to any person until his fingerprints have been placed on file in the office of the chief of police, and no person who has been convicted of a felony shall be granted a license without the previous approval of the chief of police.

Section 3. Cancellation of License. Any license issued under this ordinance may be cancelled by the City Manager for any violation of the terms hereof, or for any violation of the traffic ordinances of the city or state laws governing traffic, or for the violation of any laws governing and regulating the sale, manufacture, possession, and transportation of any intoxicating liquors or controlled substances, and this provision shall apply equally to the drivers of taxicabs and to the companies operating taxicabs.

Section 4. Certificate from City Manager. No such license shall be issued except upon certification of the City Manager, and such license shall be in accordance with such certificate, and with the terms of this ordinance.

Section 5. Contents of Certificate. All taxicab certifications issued by the City Manager shall set forth the name of the person to whom the license is to be issued, the number of vehicles proposed to be operated, the maker and the maker’s number of each vehicle, the seating capacity of each, and the number of the state license of each vehicle to be operated by such licensee.

Section 6. Application for Granting of License. Every person desiring to obtain a license for the operation of a taxicab under this ordinance shall file written application therefore with the Prineville

City Manager, setting forth the name of the person to whom license is to be issued, the number of vehicles proposed to be operated, the name of the maker and the maker's number of each, the seating capacity of each, and the number of the state license of each such vehicle, and should the state license number of such vehicle be changed during the life of such license, such change, and number shall be immediately reported to the City Manager. When a certificate is issued, the City Manager shall, upon receipt of the license fee or fee herein provided for each taxicab to be operated under such license, issue a license to such applicant in accordance with the provisions of this ordinance and the certificate described in Section 5.

Section 7. Fees. There shall be paid to the city by each taxi service operating in the City of Prineville, an annual license fee of \$50 per year or part of the year that such service operates within the City of Prineville, and a further annual license fee of \$25 for each taxicab operated, such license fees to cover the cost of the regulation of such service, and are to be paid in advance.

Section 8. Transfer of Fee. The City Manager shall transfer a license issued under the provisions of this article from one car to another car, upon being satisfied that the change of ownership of a car is bona fide, authorize the transfer of the license covering such car to such new owner, executing a written notice of his approval of such transfer. A fee of \$25 shall be collected for all transfers as herein authorized.

Section 9. Penalties for Incompetency, Recklessness, etc. Any driver or chauffer of any taxicab who has been found guilty in a court of competent jurisdiction of any incompetency in driving, or of any violation of the traffic ordinance or the terms of this ordinance, may be debarred from driving any taxicab in the City of Prineville for a period not to exceed one year; and if the owner of a vehicle operated in the city knowingly permits a debarred driver during the period of one year to operate such vehicle, the license of the owner may be revoked by the City Manager.

Section 10. Age Limit for Chauffeur. No licensee under this ordinance shall permit a person under the age of 21 years to operate a taxicab owned or controlled by him in the City of Prineville.

Section 11. Taxicab Rates. Licensee shall have the right to set rates for users of licensee's taxi service. The schedule of rates shall be conspicuously posted or placed in each taxicab in such a manner as to be easily read by users of said taxicab service. In addition, licensee shall provide the office of the City Manager with the current rate schedule in effect. The City Council reserves the right to reinstitute, at any time, through proper ordinance amendment procedures, rate controls for all fees charged by licensees to customers under this ordinance.

Section 12. Authorized Fares to be Charged, Penalty for Violation. Any driver of a taxicab who shall charge any passenger a rate of fare other than provided for in Section 11 hereof shall, upon conviction thereof, be punished, in addition to the other penalties provide, by having his operator's license suspended for a period of not less than one month or more than one year.

Section 13. Direct Route to be Traveled, Fares Not Charged When Vehicles Disabled. Any driver of a taxicab employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination. Fares shall not be charged for any period during which a taxicab is disabled.

Section 14. Receipt of Fare to be Given. Whenever demanded by the passenger, the driver in charge of a taxicab shall deliver the person paying for the hiring of said taxicab, at the time of such payment, a receipt therefore in legible printing or writing, containing the name of the taxicab owner and his address, the name of the driver, the total amount paid and the date of payment.

Section 15. Report of Lost Articles. The driver of any taxicab shall promptly notify the nearest police station within 24 hours of all property of value left in his vehicle by any passenger.

Section 16. Load Limit. No driver of any taxicab shall carry more than the ordinary seating capacity for which said taxicab or vehicle was designed and built. No more than one person shall be permitted in the seat with the driver or chauffer, and no person or passenger shall be allowed to be or remain on the doors, steps, or running board of any taxicab while the same is in motion.

Section 17. Driver's Conduct. No driver of any taxicab shall drive or operate the same while under the influence of intoxicants, or operate the same in a careless or reckless manner, or use any profane or obscene language while carrying passengers in the taxicab, or smoke in the taxicab.

Section 18. Penalty. Violation of a provision of this ordinance is punishable by a fine not to exceed \$500.

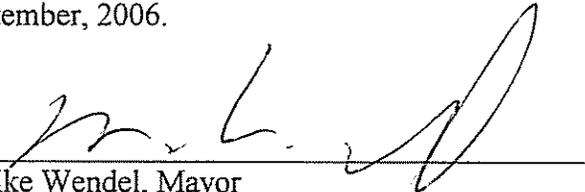
Section 19. Appeals. In the event that an application for license is denied or revoked after issuance, the applicant or licensee may file a notice with the City Manager of the licensee's intent to appeal such denial or revocation to the Prineville City Council. The City Council shall hold a hearing to determine the appeal within 30 days of filing of the intent to appeal. The decision of the City Council shall be final and conclusive

Section 20. Saving Clause. If any section, subsections, subdivision, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 21. Ordinances 472, 919, and 972 are hereby repealed.

Passed by the City Council this 12th day of September, 2006.

Executed by the Mayor this 12th day of September, 2006.



Mike Wendel, Mayor

ATTEST:



Robb Corbett, City Administrator/Recorder